

## SENATE BILL No. 359

### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 10-14-4-5; IC 22-11-14-12.

**Synopsis:** Public safety fees. Annually appropriates funds from the public safety fees paid by fireworks retailers as follows: (1) \$1,000,000 to the department of homeland security for training programs. (2) \$1,000,000 to the department of homeland security for deposit in the state disaster relief fund.

**Effective:** July 1, 2007.

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January 16, 2007, read first time and referred to Committee on Local Government and Elections.

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Introduced

First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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## SENATE BILL No. 359

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A BILL FOR AN ACT to amend the Indiana Code concerning public safety and to make an appropriation.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 10-14-4-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 5. (a) The state disaster  
3 relief fund is established to provide money to assist eligible entities in  
4 paying for the costs of damage to public facilities resulting from  
5 disasters.

6 (b) The fund consists of:

7 (1) money appropriated by the general assembly; and

8 (2) **public safety fees deposited under IC 22-11-14-12.**

9 The agency shall administer the fund. Expenses of administering the  
10 fund shall be paid from money in the fund. The treasurer of state shall  
11 invest the money in the fund not currently needed to meet the  
12 obligations of the fund in the same manner as other public funds may  
13 be invested. Interest that accrues from these investments shall be  
14 deposited in the fund.

15 (c) Money in the fund is appropriated to carry out the purposes of  
16 the fund as provided in this chapter. Money in the fund at the end of a  
17 state fiscal year does not revert to the state general fund.

2007

IN 359—LS 7176/DI 103+



SECTION 2. IC 22-11-14-12, AS ADDED BY P.L.187-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 12. (a) A user fee, known as the public safety fee, is imposed on retail transactions made in Indiana of fireworks, in accordance with section 13 of this chapter.

(b) A person who acquires fireworks in a retail transaction is liable for the public safety fee on the transaction and, except as otherwise provided in this chapter, shall pay the public safety fee to the retailer as a separate added amount to the consideration in the transaction. The retailer shall collect the public safety fee as an agent for the state.

(c) The public safety fee shall be deposited in the state general fund.

(d) The department of state revenue shall adopt rules under IC 4-22-2 necessary for the collection of the public safety fee ~~monies~~ **money** from retailers as described in subsections (b) and (c).

**(e) The following amounts are annually appropriated from the public safety fees deposited under subsection (c):**

**(1) One million dollars (\$1,000,000) to the department of homeland security established by IC 10-19-2-1 to provide regional training for public safety service providers or advanced training programs. Each year, the amount of the appropriation under this subdivision shall be paid from the first one million dollars (\$1,000,000) collected under this section.**

**(2) One million dollars (\$1,000,000) to the department of homeland security established by IC 10-19-2-1 for deposit in the state disaster relief fund established by IC 10-14-4-5. Each year, the amount of the appropriation under this subdivision shall be paid from the second one million dollars (\$1,000,000) collected under this section.**

**Funds appropriated under this subsection may be allotted by the budget agency after review by the budget committee.**

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